

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SWAIN, J.

-----X
Miranda D'Ancona,
Marie Rupert,
Doris Kaufman,

Plaintiffs,

- against -

D&R Transport (AKA P.S. Inc),
Donald P. Moore

Defendants.
-----X

Case Number: 07 CV 5788 (LTS)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
D. S.:

~~ORDER TO SHOW CAUSE~~ JUL 20 2007

MEMO ENDORSED

Upon reading and filing the annexed affirmation of A. Joseph Tandet, Esq., sworn to on August 8, 2005, and all the pleadings and proceedings held herein, let Plaintiff Miranda D'Ancona show cause before before Judge Swain of this Court, to be held in Room 755 in the Courthouse, located at 500 Pearl Street, Borough of Manhattan, City and State of New York, on July ____, 2007, at ____ A.M. in the forenoon of that day or as soon thereafter as counsel can be heard,

Allowing A. Joseph Tandet, Esq. to have his fee fixed by the court in view of the letter to him by the Plaintiff, Miranda D'Ancona and the letter from attorney David Horowitz, both attached hereto and made a part hereof; and based upon the attached, signed two-page Retainer Agreement signed by Miranda D'Ancona with her then Attorney, A Joseph Tandet, Esq., providing for Mr. Tandet's fees to be fixed on a *quantum meruit* basis, since he has been discharged without cause.

And for such other and further relief as to the Court may seem just and proper;

NOW THEREFORE IT IS ORDERED, that all proceedings be stayed until the ____ day of ____, 2007 to give the Plaintiff time to consult with her attorney;

SUFFICIENT REASON APPEARING THEREFORE, let service of a copy of this order by certified mail return receipt requested, together with the papers upon which it was granted upon the Plaintiff, Miranda D'Ancona, and the Plaintiff's current attorney, David Horowitz, Esq. at his office, on or before the ____ day of ____, 2007, be deemed good and sufficient service.

ORDERED, THAT ~~the application to proceed~~
~~by order to show cause is DENIED, without~~
~~prejudice to regular motion practice including~~
~~a memorandum of law demonstrating the~~
~~jurisdictional basis of the application.~~
The Clerk shall serve copies of this Memorandum
endorsement upon Mr Tandet and upon Mr Horowitz.

ENTERED:

[Signature] 7/20/2007

USDS